

REMARKS

Claims 1, 10, and 11 remain pending in this application, with claim 1 being the only independent claim. Claims 3-9 and 12-22 have been previously withdrawn in response to a restriction requirement. Claims 2 and 23 have been previously canceled. Claim 1 has been amended. The drawings have been objected to for including reference numbers not described in the specification. The specification has been objected to for referring to specific claim numbers. Claims 1, 10, and 11 have been rejected under 35 U.S.C. § 102(b) as anticipated by WO 02/063571 (Huegle), which is also published in English as U.S. Patent Appl. Pub. No.: 2004/0021763.

Information Disclosure Statement

The Office Action states that the listing of references in the specification is not a proper information disclosure statement under 37 CFR 1.98(b).

The references listed in the specification were listed in the IDSs filed August 31, 2006 and February 9, 2009.

Objection to the drawings

The drawings have been objected to because Fig. 11 allegedly includes reference numbers 19, 20, and 70, which are not mentioned in the specification.

Fig. 11 has been amended to remove reference numbers 19 (shown in the right most part of Fig. 11) and 70 and replace references numbers 20 with 20b and 19 (shown in the lower portion of Fig. 11) with 19b.

Fig. 1 has been amended to remove reference number 7.

In view of the above amendments and remarks, Applicants submit that this objection has been overcome.

Objections to the specification

The specification has been objected to for referring to specific claim numbers. The specification has been amended to remove the references to specific claim numbers. Applicants submit that this objection has been overcome.

Rejection of claim 1, 10, and 11 under 35 U.S.C. § 102(b)

The Office Action states that Huegle teaches all of Applicants' recited elements.

Independent claim 1 has been amended to recite a printer for tachograph of a motor vehicle that includes, inter alia, "a printing unit comprising a print head", "wherein the print head is configured to move together with the printing unit in the push-in direction and the printing unit is configured to be moved in the housing within a movement play", which Huegle fails to teach or suggest. Support for the claim amendment can be found in paragraphs [0035] and [0036] and Figs. 1-2 of Applicants' published specification.

According to Applicants' invention, the printing unit 4 is mounted in the housing such that the printing unit 4 can move in the push-in direction 11. The printing unit 4 has a print head 5, which is fastened resiliently to the printing unit 4. An elastic element 13 presses the printing unit 4 counter to the push-in direction 11 in the direction of the transport unit 8 and the carrier 10 (see paragraph [0035] and Figs 1-2 of Applicants' published specification).

Applicants' recited printing unit 4 has a first centering element 28, the centering receptacle of which is of fork-shaped configuration. The first centering element 28 of the

printing unit 4 interacts with a second centering element 29 on the transport unit 8 of the carrier 10 in such a way that the transport unit 8 is centered relative to the printing unit 4 and the print head 5 in the spacing direction. If the carrier 10 is pushed into the housing of the printer 1, the second centering element 29 which is of cylindrical configuration passes between the two flanks, which lie opposite one another, of the first centering element 28 of fork-shaped configuration on the printing unit 4 (see paragraph [0036] and Figs. 1-2 of Applicants' published specification).

In other words, when Applicants' recited printing unit 4 moves in the push-in direction (i.e., insertion directions), the print head 5 also moves in the push-in direction.

In contrast to Applicants' recited invention, Huegle discloses a tachograph that includes a cuboid housing and a print device. The print device of Huegle is formed in such a manner that the thermal print head in the housing of the tachograph, the transport cylinder, and the mechanism actuating the cylinder are disposed in a support, which can be removed from the front side of the tachograph. In addition, a support bridge is provided to support the thermal print head, which can pivot counter to the action of supporting springs (see Abstract of Huegle).

Further, according to Huegle, the thermal print head 19 is affixed in the housing 2 with a retainer 26 (see Fig. 3 and paragraph [0026] of Huegle). The support bridge 41 is formed so that it can be inserted into a cutout 27 in the retainer 26 (see Fig. 4 and paragraph [0027] of Huegle). Formed in the legs 50 and 51 of the support bridge 41 are holes 52 and 53, which are used to fit the bearing journals 54 and 55 assigned to the thermal print head 19. Indentations 56, 57 and 58 are provided to retain compression springs 59, 60 and 61 assigned to the thermal print head 19. Guide rails 64 and 65, on which the shaft 24 of the transport roll 16, loaded with the contact force of the thermal print head 19, is supported, are shaped by means of cutouts 62 and 63 provided in the legs 50, 51. At the front, the guide rails 64, 65 are provided with inclined

surfaces which make it easier to push shaft 24 onto guide rails 64, 65 at roughly the same time as the pivoting of thermal print head 19 itself subject to the compression action of springs 59, 60, 61 (see Fig. 5 and paragraph [0028] of Huegle).

In other words, the print head 19 of Huegle only pivots, and does not and cannot move in a push-in (i.e., insertion direction), which is in contrast to that recited in Applicants' now amended claim 1.

Therefore, Huegle fails to teach or suggest a printer for tachograph of a motor vehicle that includes "a printing unit comprising a print head", "wherein the print head is configured to move together with the printing unit in the push-in direction and the printing unit is configured to be moved in the housing within a movement play", as recited in Applicants' claim 1.

In view of the foregoing, Applicants submit that Huegle fails to teach or suggest the subject matter recited in independent claim 1. Accordingly, independent claim 1 is patentable over Huegle under 35 U.S.C. §102(b).

Claims 10 and 11, which depend from independent claim 1, incorporates all of the limitations of independent claim 1 and are therefore deemed to be patentably distinct over Huegle for at least those reasons discussed above with respect to independent claim 1.

Conclusion

In view of the foregoing, reconsideration and withdrawal of all rejections, and allowance of all pending claims is respectfully solicited.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

Respectfully submitted,
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Dated: March 2, 2009